

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-6 and 22-26 are pending in the application, with claims 1 and 22 being the independent claims. New claims 22-26 are sought to be added herewith. These changes are believed to introduce no new matter, and their entry is respectfully requested. Support for the amendment to claim 1 may be found at least in FIG. 2 and paragraphs [0097]-[0102]. Support for the amendment to claims 2 and 3 may be found at least in paragraphs [0093]-[0096]. Support for the amendment to claims 5 and 6 may be found at least in paragraphs [0114]-[0117]. New claims 22-26 have the same subject matters as amended claims 1-4 and 6, except that they do not recite a PTO transmission mechanism.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

Claims 1-6 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

With respect to the phrase "along the longitudinal axis of the vehicle," there is nothing indefinite about this phrase. A vehicle has a longitudinal axis and one reading the claim would readily appreciate that the longitudinal axis would be along the length of the vehicle. In addition the longitudinal axis is discussed, for example in paragraph

[0077] of the specification and FIG. 2 is described as a longitudinal cross section in paragraph [0051] of the specification.

With respect to the phrase "displaced downward," the phrase has been amended throughout the claims to read displaced or located "vertically downward."

With respect to the phrase "so as to bearing support," this phrase has been deleted from claim 6.

Applicants respectfully request that the rejection of the claims for being indefinite be withdrawn for at least the reasons noted above.

Description of the Invention

The present application is directed to a frame structure of a vehicle having a flywheel housing (110), an intermediate housing (120) and a transmission case (130). The intermediate housing (110) has a hollow body portion (121) with a first end facing the flywheel housing (120) and the first end of the hollow body portion (121) has a flange portion (125). The flange portion (125) has an upper extension (126) extending from a top wall (121a) of the hollow body portion (121) towards an upper side of the hollow body portion (121), a lateral extension (127) extending from a lateral wall (121b) of the hollow body portion (121) towards the radially outer side and inner side of the hollow body portion (121) and a lower extension (128) extending from a bottom wall (121c) of the hollow body portion (121) towards the upper side of the hollow body portion (121) so as to define the abutting surface (125a), the supporting surface (125b) and the first-end opening (120a), thereby connecting the flywheel housing (110) and the intermediate housing (120) to each other in a state in which a center axis position of the

hollow body portion (121) is displaced vertically downward from a center axis position of the flywheel housing (110), so that the top wall (121a) of the hollow body portion (121) is located vertically downward from a center axis position of said flywheel housing (110) as close as possible to the transmission shafts.

With such a flange portion (125), it is possible to connect the flywheel housing (110) and the intermediate housing (120) while providing a free space above the hollow body portion (121) of the intermediate housing (120) by locating the top wall of the hollow body portion (121) as close as possible to the transmission shafts. Accordingly, a step bar or a step board, which is mounted on the top wall of the hollow body portion, could be positioned as low as possible, thereby enabling the driver to easily get on and off the driver seat as discussed in paragraphs [0101] and [0102] of the specification. The absence of transmission units such as a speed change mechanism and a clutch mechanism within the intermediate housing results in substantially only the transmission shaft being present in the intermediate housing, thereby displacing the center axis of the hollow body portion vertically downward from the center axis of the flywheel housing and accommodating a lower step bar or step board. See paragraph [0101] of the specification.

Rejections under 35 U.S.C. § 102

Claims 1-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,419,041 to Nemoto ("the Nemoto patent"). Applicants traverse this rejection because the Nemoto patent fails to disclose or suggest a frame structure of a vehicle wherein a "hollow body portion of an intermediate housing accommodates only a

transmission shaft[(s)]]" such that "no transmission units such as a speed change mechanism and a clutch mechanism are disposed within said intermediate housing."

The Nemoto patent appears to disclose vehicle frame with a housing (30) with a first housing section (31) and a second housing section (32). The second housing section (32), which the Examiner appears to correlate to the claimed intermediate housing, accommodates transmission units such as hydraulic motor (21) of the HST and a mechanical transmission (50). See Fig. 1. The mechanical transmission includes gear trains (54a, 54b, 55c) supported on a transmission shaft and as a result it is not possible to locate a top wall of the second housing section (31) at a position as close as possible to the transmission shaft.

With regard to independent claim 1, claim 1, as amended herewith, recites "said hollow body portion of said intermediate housing accommodates only transmission shafts including a propeller shaft that transmits the rotational power toward said speed change unit from said driven shaft, and a main shaft that transmits the rotational power toward said PTO clutch from said drive shaft, in a state that no transmission units such as a speed change mechanism and a clutch mechanism are disposed within said intermediate housing." As noted above, the Nemoto patent discloses just the opposite, that there are gear trains (54a, 54b, 55c) disposed in the second housing section (31). There is no suggestion to modify the Nemoto patent such that no transmission units such as a speed change mechanism and a clutch mechanism are disposed within said intermediate housing. The Nemoto patent does not anticipate claim 1.

Accordingly, claim 1, and claims 2-6 which depend therefrom, are patentable for at least the reasons noted above. Applicants respectfully request that the rejection be withdrawn.

With regard to independent claim 22, claim 22 recites "said hollow body portion of said intermediate housing accommodates only a transmission shaft including a propeller shaft that transmits the rotational power toward said speed change unit from said driven shaft, in a state that no transmission units such as a speed change mechanism and a clutch mechanism are disposed within said intermediate housing." As noted above, the Nemoto patent discloses just the opposite, that there are gear trains (54a, 54b, 55c) disposed in the second housing section (31). There is no suggestion to modify the Nemoto patent such that no transmission units such as a speed change mechanism and a clutch mechanism are disposed within said intermediate housing. The Nemoto patent does not anticipate claim 22.

Accordingly, claim 22, and claims 23-26 which depend therefrom, are patentable for at least the reasons noted above. Applicants respectfully request that the rejection be withdrawn.

Conclusion

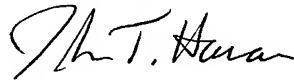
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for

allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John T. Haran
Attorney for Applicants
Registration No. 58,010

Date: 11/11/07

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
625785